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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/802,411	03/09/2001	Dominik J. Schmidt		5439

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EXAMINER	
PHU, SANH D	

ART UNIT	PAPER NUMBER
2682	

DATE MAILED: 01/09/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/802,411	SCHMIDT, DOMINIK J.	
	Examiner	Art Unit	
	Sanh D Phu	2682	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) 1-20 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) 1-20 is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

13)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

a) ☐ The translation of the foreign language provisional application has been received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 5.
4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

DETAILED ACTION

Information Disclosure Statement

The IDS filed 10/24/2001 has been considered and recorded in the file.

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.

Claim 2, 11 and 12 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding to Claim 2 and 12 recite the limitation "the protocol". There is insufficient antecedent basis for this limitation in the claim.

Regarding to claim 11 recites the limitation "said program" and " said user". There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless -
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claim 1, 2, 6-12, 16-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Karaoguz et al (US2002/0059434).

Regarding to claim 1, see Fig. 11, section [0071]-[0081] Karaoguz et al disclose a multi-mode wireless device (Fig. 11) on a single substrate wherein it comprises:

an analog portion integrated on the substrate (202), including:

a cellular radio core (202)(see section [0011]-[0012]);

a radio sniffer (antenna) coupled to the cellular core (see Fig. 11); and

a short-range wireless transceiver core coupled to the cellular core (202) (see section [0074]-[0081]); and

a digital portion integrated on the substrate (204,206,212,214), including:

a reconfigurable processor core coupled (204,206) to the cellular radio core and the short-range wireless transceiver core, the reconfigurable processor adapted to handle a plurality of wireless communication protocols (see section [0071]-[0081]); and

a data memory array (214) core coupled to the reconfigurable multi-processor core (see section [0048]).

Regarding to claim 2, Karaoguz et al disclose that the protocol conforms to a Bluetooth.TM. or IEEE802.11 protocol (see section [0074]-[0081]).

Regarding to claim 6, Karaoguz et al disclose that the reconfigurable processor core includes one or more digital signal processors (204, 206, 212) (see Fig. 11, section [0074]-[0081])

Regarding to claim 7, Karaoguz et al disclose that the reconfigurable processor core includes one or more reduced instruction set computer (RISC) processors (which is hardware and a software combination processor) (see section [0071]-[0072]).

Regarding to claim 8, Karaoguz et al disclose that a router (which is network selector (40)) coupled to the processor, the cellular radio core, and the short-range wireless transceiver core (see Fig. 2, section [0038]-[0039]).

Regarding to claim 9, Karaoguz et al disclose that the router comprises an engine that tracks the destinations of packets and send them in parallel through a plurality of separate pathways (see section [0038]-[0039]).

Regarding to claim 10, Karaoguz et al disclose that the router sends packets in parallel through a primary and a secondary communication channel (see section [0038]-[0039]).

Regarding to claim 11 (see Fig. 2, 4 and 11, section [0038]-[0050] and [0071]-[0081]), Karaoguz et al disclose a portable computer system wherein it comprises:

a processor (80)(see Fig. 4)

an input recognizer (82) embodied in a program storage device (Fig. 4) with coded software (84), said input recognizer adapted to receive input from a user (see section [0044]-[0050]);

a multi-mode wireless device (Fig. 11) on a single substrate coupled to the processor, the device comprising:

an analog portion integrated on the substrate (202), including:

a cellular radio core (802.11 Radio) (see section [0076]);

a radio sniffer (antenna) coupled to the cellular core (see Fig. 11); and

a short-range wireless transceiver core (bluetooth) coupled to the cellular core (see section [0076]); and

a digital portion integrated on the substrate (204,206,212,214), including:

a reconfigurable processor core (204,206) coupled to the cellular radio core and the short-range wireless transceiver core, the reconfigurable processor adapted to handle a plurality of wireless communication protocols (see section [0081]); and

a data memory array (214) core coupled to the reconfigurable multi-processor core (see Fig. 11).

Regarding to claim 12, Karaoguz et al disclose that the protocol conforms to a Bluetooth.TM. or IEEE802.11 protocol (see section [0074]-[0081]).

Regarding to claim 16, Karaoguz et al disclose that the reconfigurable processor core includes one or more digital signal processors (204, 206, 200, 212, 214) (see Fig. 11, section [0074]-[0081])

Regarding to claim 17, Karaoguz et al disclose that the reconfigurable processor core includes one or more reduced instruction set computer (RISC) processors (which is hardware and a software combination processor) (see section [0071]-[0072]).

Regarding to claim 18, Karaoguz et al disclose that a router (which is network selector (40)) coupled to the processor, the cellular radio core, and the short-range wireless transceiver core (see Fig. 2, section [0038]-[0039]).

Regarding to claim 19, Karaoguz et al disclose that the router comprises an engine that tracks the destinations of packets and send them in parallel through a plurality of separate pathways (see section [0038]-[0039] and [0081]).

Regarding to claim 20, Karaoguz et al disclose that the router sends packets in parallel through a primary and a secondary communication channel (see section [0038]-[0039]).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claim 3-5 and 13-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Karaoguz et al (US2002/0059434) in view of Pecen et al (6,631,259).

Regarding to claim 3-5 and 13-15, Karaoguz et al does not disclose GSM, GPRS and EDGE protocols being supported by the system, but the invention teaches that the system can be implemented to support plurality of different network protocols (see section [0038]-[0039]).

Pecen et al discloses that GSM, GPRS and EDGE protocols are well known used for wireless communications (see col. 1, lines 54-65).

Therefore, for an enhancement, it would have been obvious for a person skilled in the art to integrate Karaoguz et al's invention in order to work with GSM, GPRS and EDGE network protocols.

Conclusion

4. References Bell (6,405,027) is additionally cited because they are pertinent to the claimed invention.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sanh D Phu whose telephone number is (703) 305-8635. The examiner can normally be reached on 8:00-16:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vivian Chin can be reached on 703-301-6739. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-8635.

Sanh D. Phu
Examiner
Art Unit 2682

SP

LEE NGUYEN
PRIMARY EXAMINER